

SOAH DOCKET NO. 582-20-1895  
TCEQ DOCKET NO. 2019-1156-IWD

APPLICATION OF PORT OF	§	BEFORE THE STATE OFFICE
CORPUS CHRISTI AUTHORITY OF	§	
NUECES COUNTY FOR TPDES	§	OF
PERMIT NO. WQ0005253000	§	
	§	ADMINISTRATIVE HEARINGS

**AFFIDAVIT OF ELENA MICHELLE SOLIMANO**

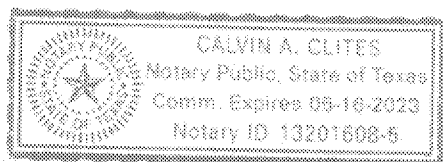
STATE OF TEXAS	§	
	§	
COUNTY OF TRAVIS	§	


BEFORE ME, the undersigned Notary Public on this day, personally appeared Elena Michelle Solimano, known to me to be the person whose name is subscribed hereto, and after being duly sworn on her oath stated the following:

1. My name is Elena Michelle Solimano. I am over eighteen (18) years of age and of sound mind, have never been convicted of a felony, and am otherwise competent to make this affidavit. I have personal knowledge of the facts stated in this affidavit, all of which are true and correct.
2. On October 19, 2020, I listened to part of the recording of the September 15, 2020 meeting of the Port Commission of the Port of Corpus Christi Authority. The part of the meeting I listened to as well as watched on the Port's website was for the Commission's discussion on agenda item 12K. The recording of the full Commission meeting is available on the website of the Port of Corpus Christi Authority at <https://portofcorpuschristi.granicus.com/player/clip/234>
3. **Attachment A** to this Affidavit is a transcript I prepared of the audio for the Commissioners discussion on Item 12k. That discussion begins at minute mark 2:12:10 and ends at minute mark 2:14:26.
4. The transcript is true and accurate to the best of my ability to understand the discussion. FURTHER AFFIANT SAYETH NOT.

/s/ Elena Solimano  
Elena Solimano

SUBSCRIBED AND SWORN TO BEFORE ME this 21st day of October 2020.



  
\_\_\_\_\_  
Notary Public, State of Texas

5/16/23  
\_\_\_\_\_  
My Commission Expires

# Attachment A

**Tuesday, September 15, 2020 - Meeting of the Port Commission of the Port of Corpus Christi Authority of Nueces County, Texas**

**Item 12.k) Adopt a Resolution approving a Water Conservation Plan for La Quinta desalination facility water rights permit. (Discussed and recommended for approval by Long Range Planning Committee on September 9, 2020)**

Minute Mark: 2:12:10

Charles Zahn: Item 12k, Commissioner Engel?

David Engel: My question is, when I look at what we filed there with the Texas Commission on Environmental Quality, what are we saying we are as the Port? Are we saying that we're a wholesale water supplier? Are we a utility? What are we saying here?

Unidentified Woman: I'm sorry, I missed the question sir, could you repeat it?

Wes Hoskins: I can't hear.

Unidentified Woman: I'm sorry, my apologies. I missed the question. Commissioner Engel, would you mind to repeat it?

David Engel: When I look at the permit that you're filing, are we saying that the Port is a wholesale water supplier? Are we saying that we are a utility, what are we saying here?

Unidentified Woman: We have filed a water rights permit and it is for a desalination plant and so that automatically makes us a wholesale water supplier with that application. It doesn't commit us to anything, we haven't come out and said anything except we would like a permit for this.

David Engel: Okay, but it's clear we are not a wholesale water supplier, we are just filing for this permit, is that correct?

Unidentified Woman: We are not currently a wholesale water supplier, sir.

David Engel: And I would hope we have no intent of being one either, but that's neither here nor there. But is this filing that you're making, leading us to become one?

Charles Zahn: David, I think we've said consistently on both of these permits that we are not going to own, operate, or build a desalination plant. We are in the process of trying to get the permits in order to meet one of the concerns that our industry partners had several years ago about having an uninterruptable source of water.

\*Unintelligible conversation, talking over each other\*

David Engel: I completely agree.

Charles Zahn: In order for us to be a wholesale water supplier, we'd have to build, own, and operate.

David Engel: Okay, so this does not commit us, is my question.

Unidentified Woman: This is only a requirement for the permit. No sir, it does not commit us.

Charles Zahn: That's correct.

David Engel: Thank you. I'll make a motion to approve.

Charles Zahn: All right, it's been moved.

Unidentified Person: Seconded.

Charles Zahn: It's been moved and seconded. Is there any discussion? In hearing none, all in favor, signify by saying I. I. All opposed, the same sign.